

AMENDED IN ASSEMBLY APRIL 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 29, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 795

Introduced by Assembly Member Block

February 17, 2011

An act to add Section 7597.1 to the Government Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 795, as amended, Block. Public postsecondary education: smoke-free campuses.

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the public segments of postsecondary education.

Existing law prohibits public employees or members of the public from smoking any tobacco product inside a public building or in an outdoor area, as specified. Existing law states that provision does not preempt the authority of the California Community Colleges, the California State University, or the University of California from adopting and enforcing additional smoking and tobacco control regulations and policies.

This bill would provide that the campuses of the California Community Colleges and the California State University have the authority to enforce these requirements by citation and fine, as specified. The bill would provide that if a campus adopts the enforcement and fine authority, it may post signs stating its tobacco use policy, and inform employees and students of the policy, as specified.

This bill would authorize the Regents of the University of California to adopt the above provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7597.1 is added to the Education Code,
2 to read:
3 7597.1. (a) The governing bodies of the California Community
4 Colleges, the California State University and the University of
5 California have the authority to:
6 (1) Set enforcement standards for their local campuses.
7 (2) Impose a fine for a first, second, and third offense and for
8 each subsequent offence. The amount of fines is to be determined
9 by the local governing body. Funds shall be allocated to include,
10 but not be limited to, the designated enforcement agency, education
11 and promotion of the policy, and tobacco cessation treatment
12 options. The civil penalty shall not exceed one hundred dollars
13 (\$100).
14 (b) If a campus adopts the enforcement and fine measures in
15 subdivision (a), it shall, and the campuses of University of
16 California may, post signs stating their tobacco use policy on
17 campus, as follows:
18 (1) The locations at which smoking or tobacco use is prohibited
19 on campus.
20 (2) The locations at which smoking or tobacco use is permitted
21 on campus.
22 (c) If a campus adopts the enforcement and fine measure in
23 subdivision (a), it shall, and a campus of University of California
24 may, inform employees and students of the tobacco use policy and
25 enforcement measures employed on their campus.
26 ~~(d) Tobacco products shall not be sold on the campus of the~~
27 ~~California Community Colleges and the California State University.~~

- 1 ~~The Regents of the University of California are requested to~~
- 2 ~~prohibit the sale of tobacco products on campus.~~

O